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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/589,731	05/14/2008	Marnix Ghesquiere	GHES3001/JEK	9547

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EXAMINER	
MUROMOTO JR, ROBERT H	

ART UNIT	PAPER NUMBER
3765	

MAIL DATE	DELIVERY MODE
09/17/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/589,731	GHESQUIERE, MARNIX	
	Examiner	Art Unit	
	BOBBY H. MUROMOTO JR	3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/17/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

The abstract of the disclosure is objected to because the use of legalese (comprises) and reciting purported merits of the invention are not proper for US patent abstract practice. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by WO01/86047 (relevant citations taken from equivalent US 6837279) .

'047 discloses, "***a selvage former for tucking an end of a filling into a shed of a weaving machine***, comprising a bracket carrying a means for receiving the end of a filling inserted into a shed, and ***a means for blowing the end into a subsequently formed shed***, the means for blowing being connectable by a valve actuated by a control unit to a source of compressed air."

"Such a selvage former is known from U.S. Pat. No. 4,957,144. ***The end of an inserted filling is initially retained pneumatically and then is blown by blowing***

orifices into a shed. The blowing orifices are provided in a tuck-in device located adjacent the side of the shed. A selvage former also is known from U.S. Pat. No. 1,426,***351 wherein a filling end is received within a guide element and then is blown by a blowing means into the subsequently formed shed***. ***The blowing means includes a nozzle disposed at an angle relative to the fabric's beatup filling to blow the filling end held in the guide element in the direction of the beatup filling***. ***Another device is known from U.S. Pat. No. 2,267,287 wherein several nozzles each operating in a different blowing direction are used in order to deflect the end of a filling and to blow it in the direction of the beatup filling*** (paragraph 5)."

'047 clearly discloses a selvage forming apparatus for a weaving machine, a device for beating up the weft threads (reed 7), and a device for introducing an end of a weft thread having been inserted, into a subsequent shed (as cited above).

'047 clearly discloses selvage formers that are "arrangeable close to the plane of the selvage", for blowing an air stream onto an inserted weft thread, the air stream 'essentially' directed towards the beat up line, as cited above and shown in figures.

'047 clearly discloses selvage formers with at least a blowing device with at least one opening (figures 3-7) fitted with filling end blowing means 32 to blow a filling into a shed. "These means 32 include a cylindrical insert 33 which is rotatably disposed within the bracket 15 for rotation relative to the bracket and which may be secured in place by a clamping screw 34 at a predetermined angular position in the bracket 15. The insert 33 comprises an axial duct 35 communicating through radial boreholes 38 with a

compressed -air feed duct 36 of the bracket 15. The axial duct 35 terminates at blowing apertures 37 of the insert 33 that are situated in the region of the guidance slot (FIG. 6) of the bracket. The blowing apertures extend substantially radially and direct compressed air supplied through duct 36 in a blowing direction generally aligned with the aperture (paragraph 5)."

"With respect to the embodiment of FIG. 10, the insert 33 is fitted with two blowing apertures 37, 57 one above the other which are aimed towards the shed in the region of the guide slot. In this embodiment, as shown, the blowing apertures 37, 57 point in the same direction. However, in another embodiment, the blowing apertures 37, 57 are mutually circumferentially offset and blow in different directions. In a further embodiment of the invention, more than two blowing apertures 37, 57 are provided, and which are configured in juxtaposed or superposed manner and which may blow in the same and/or in different directions. As FIG. 10 also shows, the bounding walls 58 of the guide slot in the region of the blowing apertures 37, 57 flare outward in the form of bevels to prevent such boundaries from interfering with the airflows (paragraph 11)."

These citations clearly disclose blowing apertures that are adjustable (i.e. above or below the fabric; and with respect to the beatup line or blowing direction, as claimed) and a plurality of blowing apertures that are within the scope of the broad term "slot" and are arranged 'essentially parallel' in one line to the beat up line.

Figure 10 clearly shows blowing orifices 37 in a side of a hollow cylindrical member that can be broadly considered a 'needle'.

"FIG. 10 also shows that the insert 33 as constituting the rotor of a controlled drive motor 59. The angular position of the insert 33 and hence that of the drive motor 59 is determined by the control unit 6 (FIG. 1) of the airjet weaving machine. Illustratively, the drive motor 59 may be a stepping motor. This embodiment also includes an encoder 60 connected to the control unit 6 which is used to specify the angular position of the insert 33 (paragraph 12)." Clearly discloses one or more drive units for adjusting blowing direction as claimed.

All looms inherently include guided take-up rolls which are inherently after the beat-up line of the fabric.

The citations above clearly are part of a weaving machine as claimed.

Reeds on air-jet machines inherently include U-shaped air/fluid/thread guiding channels. The reference clearly shows blowing nozzles 10 extending into the reed.

Figure 3 clearly shows the limitations in claim 17.

The methods recited are the necessary steps inherent to the operation of the apparatus as recited above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BOBBY H. MUROMOTO JR whose telephone number is (571)272-4991. The examiner can normally be reached on 8-530, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Welch can be reached on 571-272-4996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert H Muromoto, Jr./
Primary Examiner, Art Unit 3765